

New York State Department of Environmental Conservation
Division of Environmental Enforcement
Eastern Field Unit
200 White Plains Road, 5th Floor, Tarrytown, New York 10591-5805
Phone: (914) 332-1835 ext. 315 • **FAX:** (914) 332-5116 (not for service of process)
Website: www.dec.state.ny.us



July 1, 2003

Via Fax and U.S. Mail

Nicholas Ward-Willis, Esq.
Keane & Beane, P.C.
1 North Broadway
White Plains, New York 10601

Re: Magna Metals
Site # 3-60-003

Dear Mr. Ward-Willis:

The purpose of this letter is to confirm our agreement to the following. The Department will hold the assessment penalties which accrued on June 30, 2003 (as noticed in the Department's letter of June 16, 2003) in abeyance until the close of business on Friday, July 25, 2003. If at that time your client, ISC Properties, Inc., has not commenced the actual fieldwork, the stipulated penalties specified in Order on Consent Index # W3-0010-81-01 will be assessed. Because it was your client's delay which caused the scheduling conflict with Ms. Dewes vacation and further delay of the start of fieldwork, no further notice of violation will be required and no further time to correct the violation will be allowed. For the purpose of calculating the penalty amount, the first day of the violation will be Saturday, July 26, 2003.

Please acknowledge by countersigning and returning a copy of this letter by fax and U.S. Mail.

Sincerely,



Rosalie K. Rusinko
Senior Attorney

Nicholas M. Ward-Willis

Date

cc: R. Cozzy
S. Dewes
A. Quartararo
E. Wactlar via fax
M. Sielski via internet

Erin M. Crotty
Commissioner

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FAX TRANSMITTAL COVER SHEET

DATE: 7/3/2003 NUMBER OF PAGES (INCLUDING THIS COVER) 2

FOR IMMEDIATE DELIVERY TO:

NAME: Mr. Edward Wactlar

DEPARTMENT/OFFICE: _____

TELEPHONE #: _____ FAX #: (516) 822-4824

☐ Original will follow via mail ☒ Original will not follow
☐ Other

FROM: Rosalie K. Lusink, Eng.

MESSAGE :